## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTHA JULIA HIDALGO	:
VILLAFANE, Individually, As Executor	: Civil Action No.: 2:20-cv-06393-RBS
and as Personal Representative of the Estate	:
of Martha Erika Alonso Hidalgo,	:
•	:
MA. GUADALUPE NANCY CANALES	:
ELIZALDE, Individually, as Executor and	:
as Personal Representative of the Estate of	:
Marco Antonio Tavera Romero,	:
	:
LOURDES FRANCISCA MENDOZA	:
HERNANDEZ, Individually, as Executor	:
and as Personal Representative of the Estate	:
of Hector Baltazar Mendoza,	:
V.	:
AGUSTAWESTLAND	:
PHILADELPHIA CORPORATION	:
	:
and	:
	:

## AFFIDAVIT OF JOHN M. SOCOLOW IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS PURSUANT TO FORUM NON CONVENIENS AND PURSUANT TO FED. R. CIV. P. 12(b)(7) FOR FAILURE TO JOIN NECESSARY AND INDISPENSABLE PARTIES

STATE OF CONNECTICUT	)
	)ss.:
COUNTY OF FAIRFIELD	)

LEONARDO S.p.A.

JOHN M. SOCOLOW, deposes and says:

- 1. I am admitted *pro hac vice* in this matter and am a partner with the firm of Fitzpatrick & Hunt, Pagano, Aubert LLP, counsel for Defendants AgustaWestland Philadelphia Corporation ("AWPC") and Leonardo S.p.A. ("Leonardo") (collectively, "Defendants").
- 2. I submit this affidavit in support of Defendants' Motion to Dismiss the Complaint pursuant to: (i) *forum non conveniens*; and (ii) Rule 12(b)(7) and Rule 19 of the Federal Rules of

Civil Procedure for failure to join as defendants Rotor Flight Services S.A. de R.L. de C.V. ("RFS") and Servicios Aéreos de Altiplano, S.A. de C.V. ("SAA"), both of which are Mexican companies that are necessary and indispensable parties.

- 3. Attached hereto as Exhibit A is a true and correct copy of the Complaint, filed on December 21, 2020. *See* Dkt. 1.
- 4. Attached hereto as Exhibit B is a true and correct copy of a certified Spanish to English translation of the final report issued by the Mexican Federal Civil Aviation Agency ("Agencia Federal de Aviación Civil," or "AFAC") regarding the December 24, 2018 crash of the Subject Helicopter, Report No. ACCDTARA004/2018MMPB (the "AFAC Report").
- 5. Attached hereto collectively as Exhibit C are true and correct copies of news articles regarding criminal proceedings in Mexico that have been instituted against RFS employees.
- 6. Attached hereto collectively as Exhibit D are true and correct copies of records obtained from the Federal Aviation Administration regarding the registration history of the Subject Helicopter.
- 7. Attached hereto as Exhibit E is a true and correct copy of the Declaration of Emilio Dalmasso (Leonardo's Senior Vice President Global Sales), sworn to on March 12, 2021.
- 8. Attached hereto as Exhibit F is a true and correct copy of the Affidavit of James Helkey, sworn to on March 23, 2021.

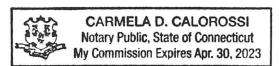
9. Attached hereto as Exhibit G is a true and correct copy of the Affidavit of Javier

Alegre Rabiela, sworn to on March 18, 2021.

OHN M. SOCOLOW

Sworn to before me this 24<sup>th</sup> day of March, 2021

Carmela D. Calorassi Notary Public



## **CERTIFICATE OF SERVICE**

I hereby certify that I have filed the foregoing via the Court's CM/ECF system on March 24, 2021, which automatically generates notification of the filing to all counsel of record.

/s/ John M. Socolow John M. Socolow